

ant in counts 1 and 4 relating to the dispensing of the *sulfadiazine tablets* and Nathan Shapiro was joined as a defendant in the other counts of the information relating to the other drugs involved. The acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: November 30, 1953. The defendants having entered pleas of guilty, the court fined the partnership \$100, Richard A. Shapiro \$200, and Nathan Shapiro \$200, plus costs.

4291. Misbranding of vinbarbital sodium capsules, pentobarbital sodium capsules, and capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil. U. S. v. Holland B. Leonard, Sr. (Leonard's Drug Store), and Holland B. Leonard, Jr. Pleas of guilty. Fine of \$500 against Holland B. Leonard, Sr. Imposition of sentence suspended against Holland B. Leonard, Jr. (F. D. C. No. 35181. Sample Nos. 59085-L, 59086-L, 59090-L, 59644-L, 59649-L, 59650-L.)

INFORMATION FILED: During November 1953, Middle District of North Carolina, against Holland B. Leonard, Sr., trading as Leonard's Drug Store, High Point, N. C., and Holland B. Leonard, Jr., a pharmacist.

NATURE OF CHARGE: On or about April 8, 13, 14, 15, and 16, 1953, while a number of *vinbarbital sodium capsules, pentobarbital sodium capsules, and capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil* were being held for sale at Leonard's Drug Store, after shipment in interstate commerce, various quantities of *vinbarbital sodium capsules* and *pentobarbital sodium capsules* were dispensed upon requests for refills of written prescriptions therefor without authorization by the prescriber, and a quantity of *capsules containing a mixture of extract of ergot, apiol, and oil of savin in a vehicle of castor oil* were dispensed without a prescription from a practitioner licensed by law to administer such drug. Holland B. Leonard, Sr., was charged with causing the acts of dispensing involved in each of the 6 counts of the information, and Holland B. Leonard, Jr., was joined as a defendant in the third count of the information. Such acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: December 7, 1953. The defendants having entered pleas of guilty, the court fined Holland B. Leonard, Sr., \$500 and suspended the imposition of sentence against Holland B. Leonard, Jr.

DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

4292. Misbranding of uranium ore. U. S. v. 6,000 Pounds, etc. (F. D. C. No. 36116. Sample No. 42770-L.)

LIBEL FILED: November 20, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about August 25, 1953, by the Montana American Uranium Co., from Helena, Mont.

PRODUCT: 6,000 pounds of *uranium ore* at San Jose, Calif., in possession of Mr. W. B. Hewson of the Radium Radiation Health Center, together with a number of leaflets entitled "Radium Radiation Health Center" and a placard designated "Radium Radiation Health Treatment."

RESULTS OF INVESTIGATION: The above-mentioned leaflets were printed locally for the consignee for distribution to prospective patients, and the above-mentioned placard was on display in the window of the Radium Radiation Health Center.

The *uranium ore* was stored in bins lining the walls of a number of cubicles at the rear of the establishment. Each cubicle was provided with a bench or cot upon which the patient would lie while undergoing "treatment" provided by the purported radioactivity of the ore.

Examination showed that the total degree of radioactivity within the cubicles was not more than 0.24 milliroentgen per hour.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it did not state the disease conditions for which the article was intended, namely, arthritis, rheumatism, asthma, sinus conditions, lack of sleep, neuritis, skin disorders, bursitis, swollen joints, and ailments generally, and since the labeling did not, in fact, bear any directions for use.

DISPOSITION: December 1, 1953. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

4293. Adulteration of a phenobarbital, bromide, and vitamin elixir. U. S. v. 24 Bottles, etc. (F. D. C. No. 35649. Sample No. 52615-L.)

LIBEL FILED: September 22, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about June 2, 1953, from Long Island City, N. Y.

PRODUCT: 24 1-pint bottles and 3 1-gallon bottles of a *phenobarbital, bromide, and vitamin elixir* at Irvington, N. J. Examination showed that the product was 80 percent deficient in riboflavin, 87 percent deficient in vitamin B₆, and 87 percent deficient in niacinamide.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, in that each 5 cc. (1 teaspoonful) of the article was represented to contain 0.5 milligram of vitamin B₂ (riboflavin), 3.0 milligrams of vitamin B₆, and 5.0 milligrams of niacinamide, whereas each 5 cc. (1 teaspoonful) of said drug contained less than 0.5 milligram of vitamin B₂ (riboflavin), less than 3.0 milligrams of vitamin B₆, and less than 5.0 milligrams of niacin. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 29, 1953. Default decree of condemnation and destruction.

4294. Adulteration and misbranding of amobarbital sodium capsules. U. S. v. 1 Drum * * *. (F. D. C. No. 35662. Sample No. 578-L.)

LIBEL FILED: September 30, 1953, Southern District of Indiana.

ALLEGED SHIPMENT: On or about July 1, 1953, by Wilson-Keith & Co., from St. Louis, Mo.

PRODUCT: 1 drum of *amobarbital sodium capsules* at Indianapolis, Ind. Examination showed that the product contained less than 73 percent of the declared amount of amobarbital sodium.

LABEL, IN PART: (Drum) "25,000 capsules Blue Interal Brand of Amobarbital Sodium U. S. P. 3 grains."